

# WASTE TIRE MANAGEMENT FACILITY PERMIT APPLICATION

Nevada Division of Environmental Protection  
Solid Waste Branch

**Instructions:** Complete Sections I through V. Attach additional sheets if necessary to thoroughly answer the questions.

**Section I. Applicant Information**

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1. Land Owner

Name: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_ Zip Code: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

2. Facility Owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_ Zip Code: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

3. Facility Operator (if different from owner)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_ Zip Code: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Date received: \_\_\_\_\_ Finding:  Incomplete  Complete  
Permit:  Issued  Denied  
Reviewed by: \_\_\_\_\_ Date of notification: \_\_\_\_\_  
Permit Number: \_\_\_\_\_

**Section II. Facility Location**

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1. Location

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

TRS: \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ County: \_\_\_\_\_

- 2. Attach a site map that shows the location of the tire storage area, each building at the facility, fences and gates, and identifies surrounding landowners.
- 3. Attach a copy of the lease agreement with the property owner, if applicable.

**Section III. Facility Operation**

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- 1. Estimate the number of passenger tire equivalents (PTE's) that the facility will receive each year. (A PTE = one passenger tire or 20 lbs. of processed tire material):
- 2. If tires or tire material are to be processed at the facility, indicate how and what equipment will be used. All processing equipment must be in operating condition before the facility begins operation.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 3. Describe the final use for the tires or processed material or list available markets. A minimum of 75% of the material accepted at the facility must be used or removed within one year of receipt.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Tires will be received from:  Private Haulers  Public  Self-hauled

5. Describe the methods that will be used to control access to the facility:

\_\_\_\_\_

\_\_\_\_\_

6. Describe how vectors will be controlled:

\_\_\_\_\_

\_\_\_\_\_

7. Attach proof of compliance with any applicable ordinances or other requirements of the state or local governments for permits.



6. Describe how surface water runoff will be directed away from the tire storage area:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Describe how tires and processed tire material will be stored in accordance with guidelines for indoor tire storage adopted by Nevada Administrative Code 477: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fire Prevention Measures

1. Provide the names of all individuals to be contacted in the event of a fire, one of which must be the Fire District for your site:

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Day phone: \_\_\_\_\_ Evening phone: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_ Day phone: \_\_\_\_\_ Evening phone: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_ Day phone: \_\_\_\_\_ Evening phone: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_ Day phone: \_\_\_\_\_ Evening phone: \_\_\_\_\_

2. List the equipment to be used to control fires and the manner in which it will be used:

Equipment \_\_\_\_\_ Location \_\_\_\_\_ Use \_\_\_\_\_  
Equipment \_\_\_\_\_ Location \_\_\_\_\_ Use \_\_\_\_\_

3. Develop a list of procedures that will be used if a fire occurs at the facility, and measures to minimize the spread of fire. Use additional pages as necessary. Attach a letter of approval of the fire protection procedures from the local emergency planning committee:

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4. Describe how surface and ground water will be protected from potential runoff resulting from extinguishing a fire at the facility:

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**Section IV. Financial Assurance**

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Each facility is required to establish a financial assurance mechanism to cover the costs of removing all PTE's from the facility whenever it is necessary in accordance with Nevada Administrative Code 444.68525. Use the information below to evaluate your financial assurance needs and to establish a financial assurance mechanism as described. Attach proof of the financial assurance mechanism to the application.

Cost Estimate

Use the formulas below (1 and 2) to calculate the minimum amount of financial assurance required for your facility. Assume that a third party must complete the work.

$$1. \text{ Cost per PTE for cleanup} = ((D \times T) + t + H)/L$$

D = miles to disposal or management facility

T = transportation cost per mile per load

t = tipping fee per load

H = handling cost per load

L = number of PTE's per load

$$2. \text{ Financial assurance required} = \text{Cost per PTE (\#1)} \times \text{Maximum number of PTE's stored at the facility at any one time.}$$

Calculation Area:

D (name the facility) = \_\_\_\_\_

T = \_\_\_\_\_

t = \_\_\_\_\_

H = \_\_\_\_\_

L = \_\_\_\_\_

Cost per PTE for cleanup = \$ \_\_\_\_\_

Maximum # of PTE's to be stored at the facility at any one time = \_\_\_\_\_

Financial assurance required = \$ \_\_\_\_\_

Financial Assurance Mechanisms**General requirements**

The mechanism for financial assurance must be in effect before any tires or tire-derived material are accepted at the facility.

An entity providing the mechanism used to demonstrate financial assurance shall reimburse or make payments to the owner, operator or any other person designated by the solid waste management authority, from that mechanism, for expenses in such amounts as the solid waste management authority shall direct in writing.

**Allowable mechanisms**

The mechanisms used to demonstrate financial assurance must ensure that the money necessary to remove all PTE's from the facility will be available whenever it is needed. The financial assurance may be in the form of:

1. A trust fund;

2. A surety bond guaranteeing payment or performance;
3. A letter of credit;
4. A policy of insurance;
5. A mechanism approved by the solid waste management authority; or
6. Any combination of the options listed above.

### **Trust fund**

The trustee must be an entity, which has the authority to act as a trustee and whose trust operations, are regulated and examined by a federal or state agency. A copy of the trust agreement must be placed in the operating records of the facility. The owner or operator shall annually make payments into the trust fund over the life of the facility.

The first payment into the fund must be at least equal to the current estimate of PTE removal divided by the number of years remaining in the life of the facility. The amount of subsequent payments must be determined by the following formula:

$$\text{Next Payment} = (\text{CE}-\text{CV})/\text{Y}$$

Where: CE is the current estimate for removing all PTE's from the facility, as adjusted for inflation or other changes.  
 CV is the current value of the trust fund.  
 Y is the number of years remaining in the life of the facility.

The owner, operator or any other person authorized to remove PTE's from the facility may request reimbursement from the trustee for related expenditures. Requests for reimbursement may be granted by the trustee only if sufficient money is remaining in the trust fund to cover the removal of PTE's, and if justification and documentation of the cost is placed in the operating records of the facility. The owner or operator shall notify the solid waste management authority that the documentation of the justification for reimbursement has been placed in the operating records and that reimbursement has been received.

### **Surety bond guaranteeing payment or performance**

The bond must be obtained by the owner or operator of the facility. The owner or operator shall notify the solid waste management authority that a copy of the bond has been placed in the operating records of the facility. The surety company issuing the bond must be among those listed as an acceptable surety on federal bonds in Circular 570 of the U.S. Department of the Treasury, which is published each July in the Federal Register. The sum of the bond must be in an amount at least equal to the current estimate for removing all PTE's from the facility. The surety must become liable on the bond if the owner or operator fails to make payments or perform as guaranteed by the bond.

In addition to obtaining the surety bond, the owner or operator shall establish a trust fund. The trust fund must meet the requirements described under the "Trust Fund" section, except the requirements for initial payment and subsequent annual payments specified in that section. The surety shall deposit payments made under the terms of the bond directly into the trust fund. The trustee must approve payments from the trust fund.

The terms of the bond must authorize the surety to cancel the bond by sending notice of cancellation by certified mail to the owner or operator and to the solid waste management authority at least 120 days before cancellation.

**Letter of credit**

A letter of credit must be obtained by the owner or operator of the facility. The owner or operator shall notify the solid waste management authority that a copy of the letter of credit has been placed in the operating records of the disposal site. The issuing institution must be an entity which has the authority to issue letters of credit and whose operations are regulated and examined by a federal or state agency.

A letter from the owner or operator must be filed with the letter of credit in the operating records that includes:

- (a) A reference to the letter of credit by number;
- (b) The issuing institution;
- (c) The date of issuance;
- (d) The name of the owner or operator;
- (e) The address of the facility; and
- (f) The amount of money assured.

The letter of credit must be irrevocable and issued for a period of at least 1 year in an amount at least equal to the current estimate for removing all PTE's from the facility. The letter of credit must provide that the expiration date will be automatically extended for a period of at least 1 year unless the issuing institution has canceled the letter of credit. The terms of the letter of credit must authorize the issuing institution to cancel the letter of credit by sending notice of cancellation by certified mail to the owner or operator and to the solid waste management authority at least 120 days before the cancellation.

**Insurance**

The insurance must be obtained by the owner or operator of the facility. The insurer must be licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in this state. The owner or operator shall notify the solid waste management authority that a copy of the policy of insurance has been placed in the operating records of the facility.

The policy of insurance must guarantee that money will be available to remove all PTE's from the facility whenever necessary. The policy must also guarantee that the insurer is responsible for paying money to the owner, operator or any other person authorized to remove PTE's from the site up to an amount equal to the face amount of the policy. The policy of insurance must be issued for a face amount at least equal to the current estimate for removing all PTE's from the facility. Actual payments by the insurer must not change the face amount, although the insurer's future liability may be lowered by the amount of the payments.

An owner, operator or any other person authorized to remove PTE's from the facility may receive reimbursements for related expenditures. Requests for reimbursement may be granted by the insurer only if the remaining value of the policy is sufficient to cover the remaining costs of removing all PTE's from the facility, and if justification and documentation of the cost is placed in the operating records of the facility site. The owner or operator shall notify the solid waste management authority that documentation of the justification for reimbursement has been placed in the operating records and that reimbursement has been received.

The policy of insurance must provide that the insurer may not cancel, terminate or fail to renew the policy except for a failure to pay the premium. An automatic renewal of the policy must, at a minimum, provide the insured with the option of renewal at the face amount of the expiring policy. If there is a failure to pay the premium, the insurer may cancel the policy by sending notice of cancellation by certified mail to the owner, operator and solid waste management authority at least 120 days before the cancellation.

The insurer shall, commencing on the date that liability to make payments pursuant to the policy accrues, annually increase the face amount of the policy. The increase must be equivalent to the face amount of the policy, less any payments made, multiplied by an amount equal to 85 percent of the most recent rate of interest for or 85 percent of the equivalent yield announced by the United States Treasury for 26-week treasury bills. As used in this section, "face amount," means the total amount the insurer is obligated to pay under the policy.

### **Alternate mechanisms**

An alternate mechanism must be approved by the solid waste management authority and meet the following criteria in accordance with Nevada Administrative Code 444.6859:

- (a) Ensure that the amount of money assured is sufficient to cover the costs of removing all PTE's from the facility whenever necessary;
- (b) Ensure that money will be available in a timely fashion, when needed; and
- (c) Be legally valid, binding and enforceable under applicable state and federal law.

### **Use of multiple mechanisms**

A combination of the above-mentioned mechanisms, rather than a single mechanism, must provide financial assurance for an amount at least equal to the current estimate of removing all PTE's from the facility.

**Section V: Signatures**

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All owners and operators of the facility and property must sign the application, including the president or executive office of a corporation or a partner when applicable. If an owner or operator is a governmental unit, a certification of the signer's authority must be included.

I certify that I am familiar with the information contained in the application and I believe that the information provided in this application is complete and accurate.

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Typed or printed)

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Typed or printed)

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Typed or printed)

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
(Typed or printed)